



TOWN OF BERLIN
Office Of The Town Manager

April 2, 2009

Mr. S. Derek Phelps, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

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CONNECTICUT
SITING COUNCIL

RE: Docket #370B, NRG Energy, Inc.

Dear Mr. Phelps:

As I understand it, the Town of Berlin has been notified of the above referenced Application, as the proposed facility in Meriden is within 2500 feet of Berlin. Therefore, the Connecticut Energy Advisory Board (CEAB) request for a proposal process requires the entity submitting the proposal to the CEAB to consult with Berlin, including making a good faith effort to meet with our Mayor. To my knowledge the Town of Berlin was not contacted by NRG Energy, Inc. for consultation in relation to this Application. The Berlin Planning and Zoning Commission received a copy of the Application by certified mail on March 23rd. The Berlin Water Control Commission and the Inland Wetlands and Watercourses Commission also received a copy of the Application in mid March. Subsequently, we have received copies of additional correspondence from you concerning this matter. To my knowledge no other correspondence or consultation occurred in relation to the Application.

In your correspondence to Meriden, it references a deadline for comments of April 3rd. Since we just received this Application and have not had an opportunity to consult with the local legislative body or the public, I will not offer substantive comments at this time. However, I would like to clarify the status of the Town's discussion with NRG Energy related to this Application. Statements are made on page 17 of the Application regarding lapsed agreements to install water lines in public streets in Berlin. The Application states that, "Negotiations with both towns to renew these agreements are in process and both are receiving support from the current town administrations." It is my understanding that discussions concerning the pipeline agreement were last held between NRG Energy and the Town of Berlin in June of 2008 during the tenure of my predecessor Roger Kemp. Town staff developed a list of issues to be considered in the negotiation of a new water line agreement but I am not aware that negotiations have progressed subsequent to that

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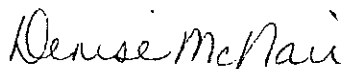
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time. Also related to the water line, additional regulatory approvals will be required from the Town including approval for a pump station. Further, we do not have detailed information on the alternative referenced on page 17 of the Application regarding obtaining cooling water from the Mattabassett District Commission. This is a matter of interest to Berlin because the treated effluent would be passing through Berlin via the pipelines.

Thank you for the consideration of these comments.

Sincerely,



Denise McNair
Town Manager